



PHAGE.001DV

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : KORDYUM et al.

Appl. No. : 09/859,651

Filed : May 17, 2001

For : PHAGE-DEPENDENT SUPER  
PRODUCTION OF  
BIOLOGICALLY ACTIVE  
PROTEIN AND PEPTIDES

Examiner : G. Leffers, Jr.

) Group Art Unit 1636

) I hereby certify that this correspondence and all  
) marked attachments are being deposited with  
) the United States Postal Service as first-class  
) mail in an envelope addressed to: United States  
) Patent and Trademark Office, P.O. Box 2327,  
) Arlington, VA 22202, on

July 19, 2002

(Date)

*Che S. Chereskin*  
) Che Swyden Chereskin, Ph.D., Reg. No. 41,466

PETITION FOR WITHDRAWAL OF HOLDING OF ABANDONMENT

United States Patent and Trademark Office  
P.O. Box 2327  
Arlington, VA 22202

Dear Sir:

This petition is in response to a Notice of Abandonment received July 5, 2002 for failure to reply to an Office Action mailed on November 21, 2001. Applicants submit that the Office Action was never received. As required by M.P.E.P. 711.03(C)II, the practitioner whose signature appears below states that the Office communication was not received and a search of the file jacket and docket records indicates that the Office communication was not received. A copy of the docket record where the nonreceived Office communication would have been entered had it been received and docketed is attached as Attachment A. In further support, the file data sheet for the above-referenced application is submitted herewith as Attachment B.

In light of this evidence, the Applicants respectfully request that the holding of abandonment be withdrawn, and the Office Action be remailed.

Appl. No. : 09/859,651  
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No fees are believed to be necessary for the filing of this petition, however, if fees are required, Applicants request that the Commissioner charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: July 19, 2002

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## ATTACHMENT A

Tuesday, July 16, 2002

## Due Date List By Attorney

Page: 1

From 20-Feb-2002 To 28-Feb-2002

Attorney: CSC Che S. Chereskin

Due Date/ Date Type	Reason for Date	Action Type	Atty(s)	Case Number	Country	Application No./ Filing Date
28-Feb-2002	*L/C REISSUE AP	REISSUE APPLN	CSC	SHINW1.001AUS	US	09/098254
Due Date			DEA			16-Jun-1998
			MCK			

Title: APPARATUS AND METHOD FOR INSPECTING FUNNEL ASSEMBLY OF CATHODE  
RAY TUBE

## ATTACHMENT B

# Country Application

Tuesday, July 16, 2002

Case Number: **PHAGE.001DV1**

Country: US United States of America

NP Instr. Date:

Case Type: DIV

SubCase:  
Status: **Pending**

Application Number: 09/859651

Filing Date: 17-May-2001

Patent Number:

Issue Date:

Publication Number: 0044133

PublicationDate: 22-Nov-2001

Expir. Date:

Entity: SE

AbandonedDate:

Agent:

Client: PHAGE

Prosecuting

Agent Ref#:

Tax Due Date:

Priority Date:

Annuity Number:

BarCodeDate:

Priority Number:

Tax Start Date:

Assignee:

Inventors: KORDYUM, VITALIY A.  
CHERNYKH, SVETLANA I  
SLAVCHENKO, IRYNA YU  
VOZLANOV, OLEKSANDR

Invention Attorney(s): DEA MRB CSC

Title: **PHAGE-DEPENDENT SUPER PRODUCTION OF BIOLOGICALLY ACTIVE PROTEIN AND PEPTIDES**

Remarks: Notice of ABA rec'd 7/5/02; Failure to file proper reply to the Office ltr mailed on 11/21/01  
DIV OF 09/318,288 FILED 5/25/99  
CSC-2753 Publication LC prepared 12/21/01

User ID: SCM

Date Created: 16-Jun-2000

Last Update: 08-Jul-2002

## List Of User Actions

Action(s) Due	Due Date	Indicator	Action Taken
File Petition to Revive Due	01-Jul-2003	Final	
Application Status Check	17-Nov-2002	Due Date	
File Petition to Revive?	01-Sep-2002	Due Date	
File Priority Claim Deadline	17-Sep-2001	Reminder	04-Sep-2001
POSTCARD REC'D?	14-Sep-2001	Reminder	27-Jun-2001
FILING RECEIPT RECEIVED?	17-Aug-2001	Reminder	23-Jul-2001
Information Disclosure Stmt	17-Aug-2001	Due Date	14-Jun-2001
POSTCARD RECEIVED?	17-Jul-2001	Reminder	30-May-2001
Amended Publication?	17-Jun-2001	Final	17-Jun-2001